## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

JOHNATHAN L. WOODS,	)	
	)	
Plaintiff,	)	
	)	
	)	
VS.	)	CASE NO. 3:05-0457
	)	JUDGE ECHOLS/KNOWLES
	)	
	)	
CHRISTOPHER TAYLOR, et al.,	)	
	)	
Defendants.	)	

## REPORT AND RECOMMENDATION

This matter is before the Court upon Plaintiff's "Motion to Dismiss Defendant Quenton White." Docket No. 104. The Motion states in part that Defendant White was "the Commissioner [of the Tennessee Department of Correction] and had no personal involvement in the incident of this complaint filed herein." Docket No. 104.

Pursuant to Fed. R. Civ. P. 41(a)(2), Plaintiff's Motion should be granted, and this action should be dismissed as to Defendant Quenton White.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has ten (10) days from receipt of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have ten (10) days from receipt of any objections filed in this Report in which to file any response to said objections. Failure to file specific objections within ten (10) days of receipt of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *Thomas v*.

Arn, 474 U.S. 140, 106 S.Ct. 466, 88 L. Ed. 2d 435 (1985), reh'g denied, 474 U.S. 1111 (1986).

E. Clifton Knowles

United States Magistrate Judge

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